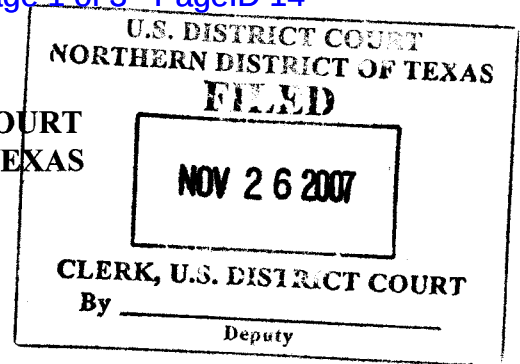


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION



EQUAL EMPLOYMENT OPPORTUNITY §
COMMISSION, §

Plaintiff, §

v. §

STANLEY AUTOMOTIVE ENTER- §
PRISES, INC. §

Defendant. §

CIVIL ACTION NO. 5-07CV0206-C

**MOTION TO DISMISS PLAINTIFF'S COMPLAINT OR, IN THE ALTERNATIVE,
MOTION FOR MORE DEFINITE STATEMENT**

COMES NOW the Defendant, Stanley Automotive Enterprises, Inc. ("Movant" or "Defendant"), and pursuant to Fed. R. Civ. P. 12(b) and (e), files this Motion to Dismiss; or, in the alternative, Motion for More Definite Statement, and would respectfully show the Court as follows:

1. This Motion is filed to test to the sufficiency of the Plaintiff's pleadings. First, Movant asks the Court to dismiss Plaintiff's cause of action for violation of the Title VII of the Civil Rights Act of 1964, as amended, specifically 42 U.S.C. § 2000e-3(a), for failure to state a claim upon which relief can be granted. Plaintiff fails to plead the necessary factual elements to support this claim. Second, and in the alternative, Movant asks that the Court require the Plaintiff to amend certain portions of the Complaint in order to cure defects therein relating to the lack of specificity.

2. The following paragraphs are defective because: (a) they lack any factual support for Plaintiff's cause of action arising under 42 U.S.C. § 2000e-3(a); (b) are vague, ambiguous, and prevent Defendant from framing appropriate responsive pleadings; and, (b) they do not contain

sufficient information concerning the specific unlawful employment practice(s) or alleged wrong that Defendant allegedly committed. Plaintiff should be ordered to replead to provide sufficient detail with regard to the following Paragraphs: 6, 7, 8, 9, and 10.

3. Plaintiff's claim arising under 42 U.S.C. §2000e-3(a) should be dismissed in its entirety for failure to state a claim upon which relief can be granted; or, in the alternative, Plaintiff should be ordered to replead to provide sufficient detail with regard to Paragraphs: 6, 7, 8, 9, and 10 of the Complaint.

WHEREFORE, PREMISES CONSIDERED, Defendant prays that the Plaintiff's Complaint be dismissed pursuant to Fed. R. Civ. P 12(b) for failure to state a claim upon which relief can be granted; or, in the alternative, Defendant prays this Court order the Plaintiff to replead the allegations contained in the paragraphs identified herein so that Defendant can prepare appropriate responsive pleadings thereto.

Respectfully submitted,

MOUNCE, GREEN, MYERS, SAFI, PAXSON & GALATZAN, P.C.
A Professional Corporation
P. O. Box 1977
El Paso, Texas 79950-1977
(915) 532-2000
Fax No. (915) 541-1548

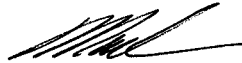
By: 

Mark D. Dore
State Bar No. 06000500

Attorneys for Defendant

CERTIFICATE OF SERVICE

I, Mark D. Dore, certify on this the 21st day of November, 2007, a true and correct copy of the foregoing document was forwarded via facsimile to Leticia Dominguez, Trial Attorney, United States Equal Employment Opportunity Commission, El Paso Area Office, 300 E. Main, Suite 500, El Paso, Texas 79901.



Mark D. Dore